

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No: 00-6022-CIV-LENARD

HENRY NARANJO and
MARLENE RAMIREZ,

Plaintiff,

vs.

STEPHEN BYRON SMITH,

Defendant.

STEPHEN BYRON SMITH,

Defendant/Third-Party Plaintiff,

vs.

BRADFORD MARINE, INC.,

Third-Party Defendant.

THIRD-PARTY DEFENDANT'S AGREED MOTION
FOR EXTENSION OF TIME TO RESPOND TO THIRD PARTY COMPLAINT

COMES NOW Third-Party Defendant, BRADFORD MARINE, INC., by and through its undersigned counsel, and hereby requests that an extension of one (1) week within which to respond to the Third-Party Complaint be granted. In support of this agreed motion, Third-Party Defendant submits the following:

1. Third-Party Defendant's answer or other response under Rule 12 of the Federal Rules of Civil Procedure is due to be served on or before Tuesday, February 29, 2000.

2. Third-Party Defendant's counsel was recently assigned this case and has

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already begun an investigation into the allegations set forth therein in order to prepare an appropriate response. In light of only recently being forwarded this matter for defense handling, coupled with the fact the undersigned is assisting in preparing two cases set to go to trial on March 6, 2000 in Vero Beach, Third-Party Defendant's counsel seeks an extension in which to prepare a response to the Third-Party Complaint.

3. That counsel for Third-Party Defendant has contacted counsel for the Third-Party Plaintiff, who agrees to the extension of up to one (1) week for the service of a response to the Third-Party Complaint.

4. This extension of one (1) week will afford Third-Party Defendant's counsel the necessary time to complete the response.

5. Third-Party Defendant has not requested any other extension in this action to date and Third-Party Plaintiff will not suffer any prejudice in the event this agreed motion is granted. This motion is filed in good faith and not for purposes of delay.

WHEREFORE, Third-Party Defendant, BRADFORD MARINE, INC., respectfully seeks this Honorable Court enter an agreed order granting Third-Party Defendant's agreed Motion for Extension of Time to Respond to Third-Party Complaint, such that its response will now be due to be served no later than Tuesday, March 7, 2000.

THIS IS TO CERTIFY that a true copy of the above has been mailed to: F. David Famulari, Esq., Underwood, Karcher & Karcher, P.A., Attorneys for Plaintiffs, 9th Floor, Grove Plaza Building, 2900 S.W. 28th Terrace, Miami, Florida 33133; Manuel Valdes, Esq., Law Offices of John W. Burke, P.A., Co-Counsel for Plaintiffs, Suite 330, Ocean Bank Building, 782 N.W. 42nd Avenue, Miami, Florida 33126 and John D. Kallen,

Esquire, Badiak, Will & Kallen, 17071 West Dixie Highway, N. Miami Beach, Florida

33160 this 28th day of February, 2000.

BILLING, COCHRAN, HEATH, LYLES
& MAURO, P.A.

Attorneys for Third-Party Defendant

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By 

Shawn B. McKamey, #991384